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S. Matthew Schultz, Robert P. Beynon, Larry McNeill, and  
Thomas L. Wood, and Nominal Defendant Cleanspark, Inc.*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BRANDON SMITH, Derivatively on Behalf of  
CLEANSPARK, INC.,  
Plaintiff,

Case No.: 2:23-cv-00445-GMN-BNW

v.

ZACHARY K. BRADFORD, LORI L. LOVE,  
S. MATTHEW SCHULTZ, LARRY  
MCNEILL, THOMAS  
L. WOOD, and ROGER P. BEYNON,

**JOINT STIPULATION AND [proposed]  
ORDER ADJOURNING TIME TO  
RESPOND TO COMPLAINT**

Defendants,

-and-

CLEANSPARK, INC., a Nevada Corporation,

Nominal Defendant.

Plaintiff Brandon Smith (“Plaintiff”), derivatively on behalf of Nominal Plaintiff CleanSpark, Inc. (“CleanSpark”) and Defendants Zachary K. Bradford, Lori L. Love, S. Matthew Schultz, Larry McNeill, Thomas L. Wood, Roger P. Beynon (the “Individual Defendants”), and Nominal Defendant CleanSpark (together with the Individual Defendants, “Defendants”) (collectively, with Plaintiff, the “Parties”), by and through their undersigned counsel, hereby enter into the following stipulation and proposed order:

**WHEREAS**, Plaintiff has indicated that he plans to file a motion to remand, which he will notice to be heard by the Court in the normal course (the “Motion to Remand”); and

**WHEREAS**, in order to conserve the resources of the Court and the Parties, the Parties agree to adjourn the deadline for Defendants to respond to the Complaint until after the Court has decided the Motion to Remand.

1. Defendants' deadline to respond to the Complaint is adjourned until after the Court decides the Motion to Remand.

3. Other than as agreed herein, the Parties reserve all rights.

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2 DATED: March 28, 2023

3 **FOX ROTHSCHILD LLP**

4 /s/ Colleen E. McCarty  
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*Counsel for Defendants*

DATED: March 28, 2023

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9  
10 **ORDER**

11 **IT IS SO ORDERED.**

12 Dated this 29 day of March, 2023.

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15 Gloria M. Navarro, District Judge  
16 UNITED STATES DISTRICT COURT  
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